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4 | Pro Se Objector

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT in light of Plaintiffs' letter raising questions of fact relating to Objector Sam A. Miorelli, E.I., Esq.'s membership in the class, Objector Miorelli hereby files a Supplemental Sworn Affidavit of Sam A. Miorelli, E.I., Esq. and the Exhibits thereto, and a Sworn Affidavit of Luke Miorelli. These additional sworn filings answer the questions raised by Plaintiffs' letter relating to Objector Miorelli's membership in the class. Objector Miorelli has redacted the Exhibits to prevent the release in public of sensitive financial information as well as private communications information of his brother and mother, with whom he shares his AT&T Mobility service account.

DATED: June 20, 2016

John A. Mazzilli, E.I.E. (P)

Sam A. Miorelli, E.I, Esq. (Pro Se)

CERTIFICATE OF SERVICE

2 The undersigned certifies that the foregoing Notice of Filing of Supplemental Affidavits in
3 Support of Objection to Class Action Settlement of Sam A. Miorelli, E.I., Esq., the Supplemental
4 Sworn Affidavit of Sam A. Miorelli, E.I., Esq., and the Sworn Affidavit of Luke Miorelli were
5 transmitted via FedEx Overnight Express on June 20, 2016 to the following:

6 Clerk of the Court
7 Office of the Clerk
United States District Court
450 Golden Gate Avenue
8 San Francisco, CA 94102-3489

The undersigned further certifies that the foregoing Notice of Filing of Supplemental Affidavits in Support of Objection to Class Action Settlement of Sam A. Miorelli, E.I., Esq., the Supplemental Sworn Affidavit of Sam A. Miorelli, E.I., Esq., and the Sworn Affidavit of Luke Miorelli were transmitted via U.S. First Class Mail and E-mail (to the attorneys who had e-mails listed on the CM/ECF as of the filing date and as listed below) on June 20, 2016 to the following:

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E-Mail: sam.miorelli@gmail.com

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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA

7 In re) Case No.: 3:12-md-2330-EMC
8 CARRIER IQ, INC. CONSUMER PRIVACY)
LITIGATION) **SUPPLEMENTAL SWORN AFFIDAVIT**
9) **OF SAM A. MIORELLI, E.I., ESQ.**
This Document Relates to:)
10 ALL CASES) Date: July 28, 2016
11) Time: 1:30 p.m.
12) Judge: Honorable Edwin M. Chen
12) Dept: Courtroom 5, 17th Floor
13)
14 _____

15 I, Sam Andrew Miorelli, the undersigned, state under oath and penalty of perjury that the
following facts are true:

16 1. I purchased a Samsung Galaxy S6 phone, model number SMG-920A, on May 13,
17 2015 at a total price of \$425.99. That telephone was replaced under warranty due to battery drain,
18 extreme slowness, and other symptoms similar to those reported relating to CarrierIQ, under warranty,
19 on December 20, 2015 and again on April 30, 2016.

20 2. My AT&T phone number for that Samsung Galaxy S6 is 321-698-2776. I have had
21 that number on my father's account for over a decade using a variety of devices over the years.

22 3. Attached as Exhibit A is a true and correct copy of a bill for the AT&T Mobility, LLC
23 account for my phone as well as the phones of my mother, Jan Miorelli, and my brother, Mitchell
24 Miorelli. The account is in my father, Luke Miorelli's name as the primary account holder.

25 4. Attached as Exhibit B is a true and correct copy of the e-mail receipt sent by AT&T
26 to my father when I purchased my Samsung Galaxy S6 phone on May 13, 2015. While the receipt is
27 made in his name, I made the purchase using my American Express card ending in 4007.

1 5. Attached as Exhibit C is a true and correct copy of the American Express Transaction
2 Details Report for the American Express card ending in 4007 that I used to purchase my Samsung
3 Galaxy S6.

4 6. I am over the age of 18 years old.

5 Executed this 20th day of June, 2016 in Brevard County, Florida.

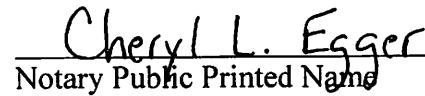
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Sam A. Miorelli, E.I., Esq.

10 9 Sworn to and subscribed before me this 20 day of June, 2016, by Sam A. Miorelli,
11 10 E.I., Esq., who is personally known to me / produced _____ as identification.

12 11 
13 12 Notary Public Signature

14 13 
15 14 Notary Public Printed Name



1 EXHIBIT A – AT&T Mobility Bill for Bill Cycle Ending 1/19/2016
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Wireless Statement

BILL-At-A-Glance

Previous Balance

Payment - 01/07 - Thank You!

Adjustments

Balance

New Charges

Total Amount Due

Amount Due in Full by

Feb 14, 2016

Service Summary

Service	Page	Total
Wireless		
321 698-2776	\$50.25	3

Total New Charges

Manage Your Account:

Online: att.com/myattMobile App: att.com/myattapp

Support: 800 331-0500 or 611 from your mobile device

TTY: 866 241-6567



For Important Information about your bill, please see the News You Can Use section (Page 4).

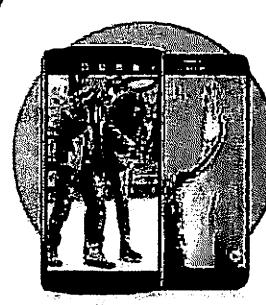
Return bottom portion with your check in the enclosed envelope.
Payments may take 7 days to post.

DUE BY: Feb 14, 2016
 CHECK FOR AUTO PAY

Account Number [REDACTED] 7532

Please include account number on your check.

Make checks payable to:
AT&T MOBILITY



Start the year off right

Add a smartphone for
\$0 down with AT&T Next™*

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Go to an AT&T store

Call 800.909.0135

*Pricing is for wireless service only. Reg's Mobile Share® plan charge (non \$30/mo.) & per tablet access charge (\$1.99/mo.) Up to ten devices. Add'l monthly charges for extra data and devices. Does not include device purchase costs. Other pricing options, charges & restrictions apply.

Wireless

Group 2 - Data Summary - Dec 20 thru Jan 19

Mobile Share Value 10GB with Rollover Data - Includes 10 gigabytes of domestic data. \$15 each additional 1GB. Unused plan data from the current bill period rolls over for use and expires after 1 billing period. Additional monthly charge applies for each device on the plan. Unlimited talk & text on mobile phones. Unlimited talk on Wireless Home Phone. Mobile Hotspot, video calling, and Visual Voicemail available with compatible devices. Unlimited domestic data usage on the AT&T Wi-Fi Basic network for smartphones and select data devices.

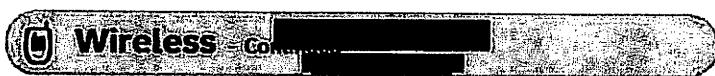
Data Used (MB)

[REDACTED]	[REDACTED]
321 698-2776	4,106
Total	[REDACTED]

Wireless Services provided by AT&T Mobility, LLC.

Printed on Recyclable Paper

LUKE MORELLI

**Mobile Share Value 10GB with Rollover Data**

Rollover available through Jan 19* Megabytes (MB) [REDACTED]

Included in Plan 10,240 Total Data Used [REDACTED]

Rollover available on Jan 20

Usage and available Rollover are rounded up to the next megabyte. For more details on your Data Summary, visit myatt.com.

* Unused Rollover Data expires after 1 billing period or when you change your plan or account.



Mobile Share Value iPhone on 4G LTE w/ VVM - Includes unlimited Anytime minutes, Nationwide Long Distance & Roaming, unlimited domestic and international text, picture, and video messages sent or received from the U.S., Puerto Rico and the U.S. Virgin Islands, Call Forward feature, Caller ID, Call Wait, Conference Call feature. Mobile Share voice and data plan required.

International Roaming - Expanded - Includes international roaming outside the U.S. and international long distance from the U.S. at standard, pay-per-use international rates. See rates at www.att.com/global

Monthly Charges - Jan 20 thru Feb 19

[REDACTED] [REDACTED]

Total Monthly Charges [REDACTED]

Other Charges and Credits**Voice Usage Summary**

Shared Minutes	Unlimited
Daytime Minutes	[REDACTED]
Minutes Used	[REDACTED]
Night & Weekend Minutes	[REDACTED]
Minutes Used	[REDACTED]

**Other Charges and Credits - Continued****Data Usage Summary**

Shared Messaging	Unlimited
Used	[REDACTED]

Mobile Share Value 10GB with Rollover Data

Individual MB Used
1 Gigabyte (GB) = 1024MB, 1 Megabyte (MB) = 1024KB

Surcharge and Other Fees

4. Administrative Fee
5. Federal Universal Service Charge
6. Regulatory Cost Recovery Charge

Total Surcharges and Other Fees [REDACTED]

Government Fees and Taxes

7. 911 Service Fee
8. City Communications Tax
9. FL State Communications Tax

Total Government Fees and Taxes [REDACTED]

Total Other Charges & Credits

Total for [REDACTED]



Mobile Share Value iPhone on 4G LTE w/ VVM - Includes unlimited Anytime minutes, Nationwide Long Distance & Roaming, unlimited domestic and international text, picture, and video messages sent or received from the U.S., Puerto Rico and the U.S. Virgin Islands, Call Forward feature, Caller ID, Call Wait, Conference Call feature. Mobile Share voice and data plan required.

International Roaming - Expanded - Includes international roaming outside the U.S. and international long distance from the U.S. at standard, pay-per-use international rates. See rates at www.att.com/global.

Monthly Charges - Jan 20 thru Feb 19

[REDACTED] [REDACTED]

Total Monthly Charges [REDACTED]

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LUKE MIORELLI

Page: 3 of 4
 Bill Cycle Date: 12/20/15 - 01/19/16
 Account: [REDACTED] 7532

Visit us online at: www.att.com**Other Charges and Credits****Voice Usage Summary**

Shared Minutes	Unlimited
Daytime Minutes	[REDACTED]
Minutes Used	[REDACTED]
Night & Weekend Minutes	[REDACTED]
Minutes Used	[REDACTED]

Data Usage Summary

Shared Messaging	Unlimited
Used	[REDACTED]

Mobile Share Value 10GB with Rollover Data

Included in Plan MB	10,240
Individual MB Used	[REDACTED]

1 Gigabyte (GB) = 1024MB, 1 Megabyte (MB) = 1024KB

Surcharges and Other Fees

- 5. Administrative Fee
- 6. Federal Universal Service Charge
- 7. Regulatory Cost Recovery Charge

Total Surcharges and Other Fees

Government Fees and Taxes

- 8. 911 Service Fee
- 9. County Communications Tax
- 10. FL State Communications Tax

Total Government Fees and Taxes

Total Other Charges & Credits**Total for 321 544-0230**

Mobile Share Value Smartphone 4G LTE w/ VVM - Includes unlimited Anytime minutes, Nationwide Long Distance & Roaming, unlimited domestic and international text, picture, and video messages sent or received from the U.S., Puerto Rico and the U.S. Virgin Islands, Call Forward feature, Caller ID, Call Wait, Conference Call feature. Mobile Share voice and data plan required.

International Roaming - Expanded - Includes international roaming outside the U.S. and international long distance from the U.S. at standard, pay-per-use international rates.

See rates at www.att.com/global.

Messages Backup & Sync - Includes text and picture message backup in our cloud for up to 90 days. Your messages can be downloaded to a new phone and you can send messages from a tablet, computer or eligible app using your mobile phone number. Visit messages.att.net to try it!

Monthly Charges - Jan 20 thru Feb 19

1. Mobile Share Value Smartphone 4G LTE w/ VVM	40.00
2. International Roaming - Expanded	0.00
3. Messages Backup & Sync	0.00
Total Monthly Charges	40.00

Other Charges and Credits**Voice Usage Summary**

Shared Minutes	Unlimited
Daytime Minutes	[REDACTED]
Minutes Used	187
Night & Weekend Minutes	[REDACTED]
Minutes Used	111

Data Usage Summary

Shared Messaging	Unlimited
Used	3,107

Mobile Share Value 10GB with Rollover Data

Individual MB Used	4,106
1 Gigabyte (GB) = 1024MB, 1 Megabyte (MB) = 1024KB	

Surcharges and Other Fees

4. Administrative Fee	0.61
5. Federal Universal Service Charge	2.52
6. Regulatory Cost Recovery Charge	0.99
Total Surcharges and Other Fees	4.12

Government Fees and Taxes

7. 911 Service Fee	0.40
8. City Communications Tax	2.44
9. FL State Communications Tax	3.29
Total Government Fees and Taxes	6.13

Total Other Charges & Credits**Total for 321 698-2776****Total for Wireless accounts**



LUKE MIORELLI

Page: 4 of 4
 Bill Cycle Date: 12/20/15 - 01/19/16
 Account: [REDACTED] 7532

Visit us online at: www.att.com

News You Can Use

NEW YEAR. NEW SMARTPHONE.

Ring in the new year by adding a new smartphone on AT&T Next^(SM)! The Samsung Galaxy Note5 helps you get more done with a built-in S Pen^(TM). With the LG V10^(TM), you can record and edit video, while two front-facing cameras make taking selfies a snap. To start the new year off in style, visit www.att.com/addaline or call 800-449-1672 today.

TTY LIMITATIONS FOR 911 CALLS

Due to technical limitations, Wi-Fi Calling and NumberSync cannot be used with TTY devices and will not support 911 calls over TTY devices. Persons with communications disabilities can still reach 911 services by either (1) calling 911 directly using a TTY over the cellular network or a landline telephone, or (2) sending a text message to 911 directly (in areas where text-to-911 is available) using a wireless device over the cellular network, or (3) using relay services to place a TTY or Captioned Telephone Service (CTS) call over the cellular network or a landline telephone, or (4) using relay services to place a IP Relay or IP CTS call over a cellular data or other IP network. Visit www.att.com/wificalling and www.att.com/numbersync for more information.

Important Information

LATE PAYMENT FEE

The late payment fee for consumer and Individual Responsibility User (IRU) bills not paid in full by the payment due date is \$5. Late payment fees for Corporate Responsibility User (CRU) accounts are applied according to applicable contracts.

PAYMENT OPTIONS

Use the myAT&T App* on your smartphone, visit att.com/bill to pay your AT&T bills electronically, or via our Interactive Voice Response system free of charge anytime day or night by calling 800 288-2020. Payments made with an AT&T representative will be assessed a \$5 convenience fee. *Compatible device and account registration required. Messaging and data charges may apply for download and usage.

ELECTRONIC CHECK CONVERSION

Paying by check authorizes AT&T to use the information from your check to make a one-time electronic fund transfer from your account. Funds may be withdrawn from your account as soon as your payment is received. If we cannot process the transaction

electronically, you authorize AT&T to present an image copy of your check for payment. Your original check will be destroyed once processed. If your check is returned unpaid you agree to pay such fees as identified in the terms and conditions of your AT&T Service Agreement, up to \$30. Returned checks may be presented electronically. If you want to save time and stamps, sign up for AutoPay at www.att.com/stoppaper using your checking account. It's easy, secure, and convenient!

TAX ID

AT&T Mobility Tax ID # 84-1659970.

SURCHARGES AND OTHER FEES

In addition to the monthly cost of the rate plan and any selected features, AT&T imposes the following other charges, on a per line basis: (1) federal and state universal service charges, (2) a Regulatory Cost Recovery Charge of up to \$1.25 to help defray its cost incurred in complying with obligations and charges imposed by state and federal telecom regulations, (3) an Administrative Fee to help defray certain expenses AT&T incurs, such as interconnection and cell site rents and maintenance, and (4) other government assessments, including without limitation a gross receipts surcharge and a Property Tax Allotment surcharge of \$0.20 - \$0.45 applied per Corporate Responsibility User's assigned number. These fees are not taxes or government-required charges. See www.att.com/additionalcharges.

AT&T NATL CENTER FOR CUSTOMERS WITH DISABILITIES

Questions on accessibility by persons with disabilities:
866 241-6568.

WRITTEN CORRESPONDENCE

For fastest service, call Customer Service at 800 331-0500 or 611 from your cell phone.
 Send correspondence to:
 AT&T, PO Box 1809, Paramus, NJ 07653-1809
 DO NOT send payments to this address.

HOW DATA IS BILLED

Data is rounded up to the nearest KB for each line on your invoice. Then, for billing, each line is added together and the total is rounded up to the nearest MB at the end of each billing cycle. If your plan is changed during the month, data will be rounded up to the nearest MB for each plan. 1024KB = 1Megabyte (MB), 1024MB = 1 Gigabyte (GB).

1 EXHIBIT B – Receipt for Purchase of Samsung Galaxy S6
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Sam Miorelli <sam.miorelli@gmail.com>

FW: Your Confirmation for AT&T Order #163352665671

1 message

Luke Miorelli <Luke@meconstruction.com>
To: Sam Miorelli <sam.miorelli@gmail.com>

Wed, May 13, 2015 at 4:38 PM

Luke Miorelli, P.E.

President



luke@meconstruction.com

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

<http://www.meconstruction.com>

[Check us out on Facebook](#)

From: order@ecommerce.wireless.att-mail.com [mailto:order@ecommerce.wireless.att-mail.com]
Sent: Wednesday, May 13, 2015 4:29 PM
To: Luke Miorelli
Subject: Your Confirmation for AT&T Order #163352665671



Thank You

Dear LUKE MIORELLI,

Thank you for choosing AT&T! Your order has been received and is being processed. A summary of your order details is shown below.

We value and appreciate your business and look forward to serving you.

Sincerely,
AT&T

You Could Be Earning Plenti Points



When you connect your Plenti account to your AT&T account, you'll earn points on every AT&T purchase you make. If you connect your accounts within the next 14 days, you'll even earn points on this purchase. Enroll in Plenti rewards

Order Number: 163352665671

Your order was placed: 03:28 PM CDT May 13, 2015

Bill To:

LUKE MIORELLI
4715 N HARBOR CITY BLVD
MELBOURNE, FL 32935

Ship To:

LUKE MIORELLI
Attention: Sam Morelli
764 ELLWOOD AVE
ORLANDO, FL 32804

Track your order online by visiting www.att.com/wirelessorderstatus (Status may not be available for at least 24 hours.) If you are an existing AT&T customer, you may also text *ORDR# from your mobile phone to check your order status.

Wireless

Shipping Method: Express Shipping



321-698-2776

Monthly	Added to 1st Bill	Paid Today
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Device: **Samsung Galaxy S6 - 128GB - Gold Platinum** \$399.99

With 2-year contract

Upgrade fee:	\$40.00
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Monthly	Added to 1st Bill	Paid Today
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Wireless Subtotal*	\$0.00	\$40.00	\$399.99
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[Returns Policy & Early Termination Fee](#)

Summary

	Monthly	Added to 1st Bill	Paid Today
Delivery method: Express Shipping			FREE
Estimated Sales Tax** Based on shipping zip code [32804]			\$26.00
Payment Method: AE ending in 4007			

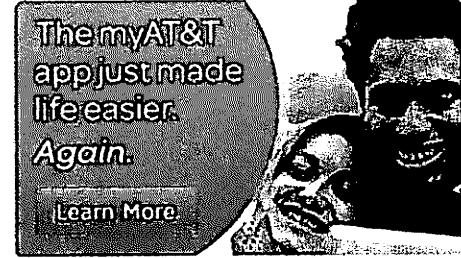
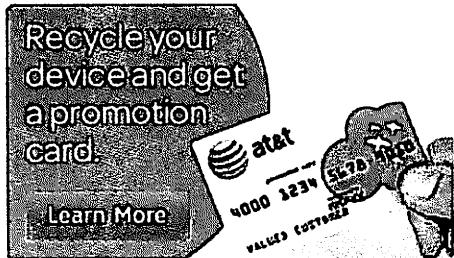
Amount Paid Today \$425.99

Due Monthly* \$0.00

Added to 1st Bill* \$40.00

Track your order online by visiting www.att.com/wirelessorderstatus. (Status may not be available for at least 24 hours.) If you are an existing AT&T customer, you may also text *ORDR# from your mobile phone to check your order status.

Make an in-store appointment for hands-on help at www.att.com/storeappointment.



* "Subtotal/Due Monthly/Added to 1st Bill" do not include, applicable taxes, Pay-Per-Use charges, State and Federal Universal Service Charges, Regulatory Cost Recovery Fee, Administrative Fee and other surcharges. "Due Today" payments for devices/accessories will be

charged to your debit/credit card when items are shipped. Please visit Additional Charges to view the estimates of the discretionary charges for your area. Your first month's statement will include a one-time activation fee, prorated monthly charge, as well as one month's charge in advance. If you are keeping an existing plan, the monthly fees you already pay will not be reflected in the shopping cart. GoPhone accounts do not include an activation fee.

**Estimated sales tax is based on the ZIP Code you provided to us. Actual sales tax may vary and is based on your shipping ZIP Code.

Postpaid orders will be processed and shipped subject to credit approval, inventory availability, and validation of a proper shipping address and other information. Orders received after 4 p.m. CST will be processed the next business day. Inventory, credit, or other issues may delay shipment. No holiday, Saturday, or Sunday delivery. Excludes GoPhone and Accessory orders. Shipping policy is subject to change. Please note: It may take up to 24 hours to process your order if there are any issues with the credit approval process and/or the shipping address validation process. This 24 hours is not included in the delivery time and should be taken into account in your order placement timing. Delivery signatures may be required. Priority shipping offers exclude shipments to Puerto Rico.

ENJOY Offer: Online only. Must purchase and activate eligible smartphone online with required agreement and qualifying voice and/or data plan. Requires account holder present, at least 18 years of age with government-issued photo ID. Limited to San Francisco Bay Area, Manhattan, NY, and Brooklyn, NY. Other geographic and service restrictions apply. ENJOY will contact customer to schedule up to 60 minutes to deliver and set up eligible device (ENJOY delivery). Delivery location requires power and Wi-Fi access. No charge to customer for ENJOY delivery. ENJOY delivery is non-transferable, has no cash value and cannot be redeemed for cash or applied as payment to an AT&T account. AT&T not responsible for lost or damaged software or data. Subject to wireless service agreement. Activation/upgrade, early termination and other fees & restrictions may apply. Offer subject to change. ENJOY delivery subject to terms and conditions and privacy policy found at goenjoy.com/privacy. See att.com/wireless for more info.

DO NOT REPLY TO THIS MESSAGE

All replies are automatically deleted. For questions regarding this message, refer to the contact information listed above.

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1 EXHIBIT C – American Express Transaction Details Report for Purchase of Samsung
2 Galaxy S6 on May 13, 2015
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**Transaction Details**

Prepared for
Sam A Miorelli
Account Number
XXXX-XXXXXX-74007

Platinum Delta SkyMiles® / May 13, 2015 to May 13, 2015

Date	Description	Amount
May 13 2015	AT&T K004 9966 ESTOR800-331-0500	\$425.99
Doing Business As: WWW.ATT.COM		
1525 VALLEY CENTER PKWY BETHLEHEM PA 18017-2279 UNITED STATES OF AMERICA (THE)		
Additional Information: 401023449 32804 AT&T EQUIPMENT/ACCESSORIES PURCHASE Reference: 320151340467042806 Category: Merchandise & Supplies-Internet Purchase		

1 Luke Miorelli, P.E.
2 4715 N Harbor City Blvd.
3 Melbourne, FL 32935
Telephone: (321) 749-6664
E-Mail: luke@meconstruction.com

4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 In re) Case No.: 3:12-md-2330-EMC
7 CARRIER IQ, INC. CONSUMER PRIVACY)
LITIGATION) SWORN AFFIDAVIT OF
This Document Relates to:) LUKE MIORELLI
ALL CASES)
Date: July 28, 2016
Time: 1:30 p.m.
Judge: Honorable Edwin M. Chen
Dept: Courtroom 5, 17th Floor
)
)

I, Luke Miorelli, the undersigned, state under oath and penalty of perjury that the following facts are true:

1. I am the primary account holder for the AT&T Mobility, LLC wireless account which is used by my sons, Sam and Mitchell Miorelli, and my wife, Jan Miorelli.

2. Sam Miorelli is an authorized user on the account and has been an authorized user for many years. To the best of my recollection, he has been an authorized user continuously since around 2009 when he started law school.

3. While all receipts for purchases of new phones on the account come to me, Sam and Mitchell both purchase their own phones personally.

4. I did not purchase Sam's Samsung Galaxy S6, he did.

5. Sam's phone number is 321-698-2776 and is one of the three lines on our family's shared AT&T Mobility account.

6. When the e-mail receipts for a new device purchase get sent to me, it is my practice to forward them to whichever son purchased the phone so that they have a record for warranty purposes.

7. I am over the age of 18 years old.

8. Further affiant sayeth naught. (Signature on following page).

1 Executed this 15th day of June, 2016 in Brevard County, Florida

2
3 Luke Miorelli, P.E.

4
5 Sworn to and subscribed before me this 15th day of June, 2016, by Luke Miorelli,
6 P.E., who is personally known to me / produced _____ as identification.

7
8 Jessica Herb
9 Notary Public Signature

10
11 JESSICA HERB
12 Notary Public Printed Name

